

CHURCH AND STATE

A MONTHLY REVIEW



VOL. 8, NO. 9

OCTOBER, 1955

POAU Ready to Testify, But Senate Subcommittee 'Postpones' Hearings

A last-minute postponement of the widely-heralded hearings on religious liberty, originally scheduled for the week of October 3 by the Senate Subcommittee on Constitutional Rights, was announced on September 30 by Subcommittee Chairman Thomas C. Hennings, Jr., of Missouri. His telegram to POAU on that date said:

"Because members of subcommittee have not had opportunity to thoroughly study the data in the religion questionnaire replies [this refers to a preliminary 8-question questionnaire which had been distributed in advance by the subcommittee, to which POAU and many other interested groups and individuals had replied] they have decided to postpone public hearings on religion clause and await an analysis of the material in hand before proceeding further on this phase of Bill of Rights survey. The members of subcommittee appreciate your willingness to testify and trust that this change in our plans will not have caused you too great an inconvenience. Will keep you posted on developments."

As this issue of *Church and State* goes to press, a careful, detailed statement has been prepared by POAU on the major threats to religious liberty in America today, and this statement will be given to the people either at the subcommittee's hearings—when and if the date shall at last have been set—or directly to the newspapers if by any chance POAU should be denied a hearing. It will also be printed as a pamphlet.

Preview

What amounted to a partial preview of the hearings as originally projected took place on September 17 in the majestic old chamber of the Capitol once occupied by the United States Supreme Court. As had been stated by the subcommittee in its original announcement, the plan was to deal in turn with each of the ten amendments of the Bill of Rights as applied in present-day America, and the September 17 date was chosen for the opening ceremony because it

marked the 168th anniversary of the signing of the Constitution. Accordingly, the "hearing" presented eleven distinguished leaders of national organizations speaking as citizens petitioning their elected representatives to safeguard liberty. The "jury" ranged all the way from the secretary-treasurer of the American Federation of Labor and the executive secretary of the National Association for the Advancement of Colored People to the president of the United States Chamber of Commerce. Roman Catholic and fraternal interests were represented by an officer of the Knights of Columbus; religious interests, by

Dr. Eugene Carson Blake, president of the National Council of the Churches of Christ.

Dr. Blake, while expressing some fear that the Supreme Court might "tend to change this nation from a nation under God to a completely secular state," declared also that American Christians "believe in the right of churches or private individuals to set up schools of their own . . . but most American Christians believe this right does not include governmental financial support for them." He also touched on the question of United States diplomatic relations with the Vatican and reiterated what he said was the profound conviction of "most American churches" that such relations have given "establishment or preference of one religion or church as against another" in violation of the Constitution. (This portion of Dr. Blake's remarks was completely ignored by Religious News Service, al-

(Continued on page 5)

BEFORE POSTPONEMENT



Citizens talked directly to their Senators at a Washington hearing on September 17, 168th anniversary of the signing of the Constitution. Facing the witnesses (who are occupying the seats ordinarily used by the legislators) from the front row of the "spectators" section, right-hand side, are Senators O'Mahoney and Hennings (wearing glasses). But later hearings scheduled for October 3 on the subject of religious liberty were "postponed" at the last minute. As "Church and State" goes to press, it is not known when—or if—they will be resumed.

Denies Air Force Plan Violates Conscience

A *Newsweek* story of July 11 concerning an Air Force religious indoctrination program which was allegedly compulsory for all recruits except professed atheists (*Church and State*, September), has been denied by Major General Charles I. Carpenter, chief of Air Force chaplains. In a letter of July 20 to the magazine (published in part on August 15), Carpenter declared:

"1. When a recruit enters the United States Air Force through one of three Indoctrination Centers (Sampson Air Force Base, New York, Lackland Air Force Base, Texas, Parks Air Force Base, California), he is asked to fill in a questionnaire. Among the other questions is one giving him the opportunity of stating his denominational or religious preference. This section may be answered, or he may leave the space blank. The option is his, and if he leaves the space blank, *he is not designated an 'atheist'.*

"2. If the recruit fills in the statement of denominational or religious preference, within a few days he is asked to meet with the Chaplain representing that denomination. At this meeting, the Chaplain discusses with those present the value of remaining true to the tenets of the religious faith claimed by them and offers them the opportunity of further study as preparation for baptism, confirmation, or church membership. These classes, *voluntarily attended*, by those who so choose, are set up for off-duty hours. At the completion of such study, and prior to leaving the Indoctrination Center, any individual may be baptized, confirmed, or received into the membership of the Church of his choice.

"It is true that the voluntary response to this opportunity of active religious participation has been excellent, but if an individual does not care to designate any religious preference or denomination, the Chaplain does not interfere with that individual. It is the policy of the United States Air Force that the designation of a religious preference and participation in a religious program is a matter of individual choice."

Abuses in Practice

On the other hand, a letter from George E. Ernest of El Paso, Texas, published in *The Christian Century* of August 24, told a different story. "Until recently," Ernest noted, "I

was a member of the U. S. air force." He continued:

"The chaplains are proud of their statistics—98 per cent are on the records as belonging to a church or synagogue. The other 2 per cent are 'atheists' when they are mentioned in character-guidance lectures. Actually, most of this 2 per cent have no preference, or a preference for some foreign religion like Buddhism. In my own case, I had considerable difficulty in getting an entry of 'Congregationalist' removed. (If no church membership was given, the last church attended was used—in my case a gap of several years.) For a while I had an entry of 'None,' and was questioned about this at frequent intervals. Then it was changed to 'Humanist,' though I suspect this was counted in with the Protestant sects. If I *had* to name a religion, it would be deism.

"At about the time I left basic training, trainees were ordered to say grace at meals. I have no information on the outcome. But chaplains seem quite willing to use whatever rank as an officer they have to produce conversions."

Talks Given by Mayne, Archer, McLoughlin

Recent and forthcoming speaking engagements of POAU Organization Director John C. Mayne, Executive Director Glenn L. Archer and Emmett McLoughlin, author of *People's Padre* (*Church and State*, April, 1954), are listed below:

Mayne—September 13, Southern Indiana Free Public Schools Committee, Washington, Ind. (directors confirmed, officers elected); September 14, St. Joseph, Mo., POAU chapter, preparatory session for rally; September 16, Southwestern Baptist Theological Seminary, Fort Worth, Texas, audience of 1200 students; September 19, San Diego, Calif., POAU chapter meeting in Lemon Grove Congregational Church; September 20, Los Angeles, Calif., public rally at First Baptist Church; September 21, Los Angeles, Lenwood Seventh-day Adventist Church, the Rev. Orley Berg, host pastor; September 23, Fresno, Calif., at First Christian Church, preparatory to formation of POAU chapter; September 27, Oakland, Calif., Melrose Baptist Church, the Rev. Ernest L. Hastings, host pastor; September 29, San Francisco, Calif., California Club auditorium, Edszen N. Landrum, chairman; October 1, Salt Lake City, Utah, ministerial group, the Rev. Alvin L. Morris, host; October 3, Lincoln, Nebr., meeting in First Methodist Church, the Rev. Mr. Davidson, host; and October 4, Des Moines, Ia., meeting in Forest Avenue Baptist Church, the Rev. Ralph Cobb, host.

Archer—August 13, Ames, Ia., Seventh-

day Adventist Camp; August 14, Portage, Wisc., Seventh-day Adventist Camp; September 2-4, DePauw University, Greencastle, Ind., Institute for Methodist Men; September 6, Nashville, Tenn., executive committee meeting, Southern Baptist Convention; September 10-11, Albuquerque, N. M., First Baptist Church, preparatory to formation of POAU chapter; September 18, Richmond, Va., Second Baptist Church; September 19, Richmond, Va., Baptist Ministerial Association; September 21, Fredericksburg, Va., Baptist Brotherhood; October 7, Ferguson, Mo., St. Louis Association of Baptist Pastors; October 11, Lancaster, Pa., Evangelical and Reformed Theological Seminary; October 23, Atlanta, Ga., Reformation Day Service; October 26, Joplin, Mo., Baptist General Association; November 1, Chicago, Ill., Orchestra Hall (with Frank H. Yost); November 16, Little Rock, Ark., Baptist Convention; November 20, Richmond, Va., Reveille Sunday Evening Pulpit (Methodist); November 21, Martinsville, Va., First Baptist Church Brotherhood; November 30, Rocky Mount, N. C., First Baptist Church; December 16, Pottstown, Pa., Masonic Temple; January 25-26, Eighth National Conference on Church and State, Washington, D. C.

McLoughlin—October 12, St. Joseph, Mo., POAU chapter; October 15-16, Minneapolis, Minn., before Unitarian groups; October 18, Des Moines, Ia., Forest Avenue Baptist Church, the Rev. Ralph Cobb, host; October 19, Lincoln, Nebr., First Methodist Church, the Rev. Mr. Davidson, host. (Mayne to accompany McLoughlin.)

Dr. William A. Cook, of POAU's staff, and Paul Blanshard, author, had the following engagements: Cook—September 18-19, Richmond, Va., Second Baptist Church and Baptist Ministerial Association; October 2, Washington, D. C., Chevy Chase Methodist Church youth group; October 20, Westfield, N. J., Presbyterian Church Women's Association, the Rev. Fred E. Christian, host. Blanshard—October 2, Washington, D. C., National Presbyterian Church Sunday Evening Club.

Church and State

Published Monthly (except August) by Protestants and Other Americans United for Separation of Church and State
1633 Mass. Ave., N. W., Washington 6, D. C.
Minimum Annual POAU Membership \$3.00,
\$2.00 of which is for Annual Subscription to *Church and State*

Entered as Second-Class Matter at the Post Office at Washington, D. C.

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NEWS From Far and Near

◆ Iranian government suppression of religious activities of the Bahai sect (*Church and State*, June) has been brought to the attention of Secretary General Dag Hammarskjöld of the United Nations by the Bahai International Community in Wilmette, Ill., a Chicago suburb. Hammarskjöld responded by applying his technique of "quiet diplomacy" in an effort to clear up the situation. There have been no recent incidents.

◆ New York's Mayor Robert F. Wagner last month declined to reappoint a Domestic Relations Court justice, Hubert T. Delany, who had served with distinction for thirteen years and whose reappointment was warmly recommended by the city bar association, civic, social and welfare groups, and by his colleague, Justice Justine Wise Polier, whom the mayor did reappoint. The only explanation Wagner gave was that Delany had "left-wing views" (unspecified). Protestant organizations were prominent among those which denounced the mayor's action; Roman Catholic organizations were silent. Part of the mayor's real motivation may have been the fact that Justice Delany had been a strong advocate of separation of church and state ("Church and State," November, 1953).

◆ The Roman Catholic Bishop of Haarlem, The Netherlands, recently approved a church marriage for a man who had previously been married to a Protestant woman in a civil ceremony and had never been divorced. The Bishop was thus applying church law (which did not recognize the civil marriage) in disregard of state law (which, of course, did recognize the previous marriage).

◆ The validity of "loyalty oaths" as a prerequisite for the granting of tax exemption to churches and war veterans was one of the questions to be considered by the Senate Subcommittee on Constitutional Rights at its October hearings (before the postponement—see story on p. 1). Several churches and individuals in California have fought the state's oath requirement and three courts within the state have rendered decisions—two declaring the oath unconstitutional and one upholding it.

◆ The showing of at least three films at the recent Venice (Italy) Film Festival was blocked to avoid offending the religious or moral susceptibilities of various groups. The Czechoslovakian entry, *John Huss*, and the Spanish entry, *The Cry of the Cock* (dealing with oppression of the Roman Catholic Church in eastern European countries) failed the religious test, while the refusal of U. S. Ambassador Clare Boothe Luce to attend a scheduled showing of the American-made *Blackboard Jungle* (presumably on the ground of questionable morality or "bad taste") led to the elimination of that picture, too. Mrs. Luce and the State Department later explained that her action had been unofficial. The cancellation of the Spanish film caused Spain to sever its connection with the festival. . . . Cuba and Brazil became the latest countries to restrict the showing of *Martin Luther*, bringing the total to about half-a-dozen nations.

◆ "My religious beliefs include a conviction that sincere prayer and worship are private, personal affairs. To teach a child that they are perfunctory gestures to be performed in public at a signal from an officer of the state is to teach a sham." So declared Philip M. Carden, night editor for the Associated Press in Nashville, Tenn., as he filed suit to invalidate a state law requiring daily Bible-reading in public schools and to enjoin public school authorities from checking up on Sunday school attendance of their pupils. Two of Carden's six children attend Nashville public schools. . . . The North Carolina Association of Jewish Rabbis took a similar stand as they met in September at Little Switzerland. They said that existing practices of class prayers and Bible reading in North Carolina public schools were "necessarily sectarian," and reaffirmed their "deep conviction that the proper places for religious instruction and worship are the synagogue, the church and the home. . . ."

Blanshard, Behrenberg Join Conference Roster

Paul Blanshard, author of three well-known books* on Roman Catholic "power" in relation to democracy, and the Rev. Dr. Adolph Behrenberg, pastor of the First Presbyterian Church, Metuchen, N. J., have joined the list of speakers who will give major addresses at POAU's Eighth National Conference on Church and State, which will take place on January 25 and 26, 1956, in Washington, D. C. Blanshard will speak at the Eighth Annual Banquet (Wednesday evening, January 25) and Dr. Behrenberg will address a daytime session.

Principal speakers at the Constitution Hall mass meeting (Thursday night, January 26) will be Dr. Willard E. Goslin, head of the Division of School Administration and Community Development at the George Peabody College for Teachers, Nashville, Tenn., and former schools superintendent at Minneapolis, Minn., and Pasadena, Calif.; and Dr. Frank H. Yost of POAU's executive committee, co-author with Dr. Alvin W. Johnson of *Separation of Church and State in the United States* (1948) and editor of *Liberty*, a Seventh-day Adventist quarterly.

**American Freedom and Catholic Power* (1949), *Communism, Democracy, and Catholic Power* (1951), and *The Irish and Catholic Power* (1953), each published by the Beacon Press, Boston.

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Probe Religious Conflict At Philippine University

A promise to keep the administration of the University of the Philippines free of "any political or religious intervention" was made recently by President Ramon Magsaysay of the Philippine Islands to spokesmen for some 2,000 students who had come *en masse* to demand the retention of three university regents whose ouster had been sought by the university's Roman Catholic chaplain. The students declared that the chaplain, Father John P. Delaney, should be ousted himself. President Magsaysay said that he would keep the three regents.

The welter of charges and counter-charges may be summarized as follows:

J. Montenegro, minister of the Philippine Independent Church, complained that his church's sacristy at the university chapel had been illegally entered and that some property was damaged. University President Vidal A. Tan referred this complaint to a regents' committee, but Father Delaney said that he would not appear before it so long as certain regents were members. He objected to the presence of Regents Gumersindo Garcia, president of the Philippine Federation of Christian Churches; Ernesto Sibál, an attorney of Roman Catholic faith; and Arturo Garcia. Senator Jose P. Laurel headed the committee.

Montenegro and Richard C. Bush, chaplain of the university's (Protestant) Christian Youth Movement, appeared before the committee. They

charged that special privilege had been accorded Roman Catholic as compared with non-Catholic religious groups on the campus. The Independent Church minister declared that if there were no other solution he would be willing to accept a rule barring all religious sects from the campus. Chaplain Bush proposed that the university consult with clergymen, faculty advisers and student leaders on the drafting of new regulations which might confine religious activities to certain times and places. In an apparent allusion to the regular noon-hour lectures which had been given by Father Delaney in Benitez Hall, he noted that some religious groups had been active in "nonreligious" areas. The Christian Youth Movement, Bush pointed out, objects to the participation of Student Catholic Action in campus politics on the ground that religious organizations should not act as political parties.

Later, when the student delegation was admitted at Malacanán Palace to see President Magsaysay, they demanded not only the retention of the three regents and the ouster of Father Delaney but also an assurance that the successor to University President Tan—who had resigned—would be chosen on the basis of his qualifications and without deferring to "pressure groups."

Constitutional Issue

The struggle taking place at the university is part of a larger struggle to preserve church-state separation in the country as a whole. Non-Catholic groups are questioning the legality of a recent order by Secretary of Education Gregorio Hernandez, Jr., setting up a "staggered"

POAU Editorial News Service Used by Many

A growing number of bulletins published by church and fraternal groups have availed themselves of the monthly news-commentary service which was launched by POAU last spring ("Church and State," May). Dr. William A. Cook, the doughty former schools superintendent of North College Hill, Ohio, (scene of a now-famous struggle to keep the schools free), is in charge of the service.

POAU members can help secure wider distribution by bringing the service to the attention of church or club bulletin editors.

plan of religious instruction in the public schools during the regular school day—an innovation going beyond the "optional," after-hours religious instruction which had formerly been allowed. The order also calls for submission of the pupils' "religious" grades to public school authorities for rating of the pupils' "conduct," thus making such instruction practically compulsory. Opponents of this system quote a 1938 veto message by the late President Manuel L. Quezon of a bill along the same lines. Quezon said:

"... In order that the government may allow the teaching of religion during school hours in place of curricular activities, it will be necessary not only to amend existing legislation which has been incorporated by reference into our constitution, but also to repeal the provision of the constitution establishing the separation of church and state. This was also the view of [William Howard] Taft [governor of the Philippine Islands, 1901-4], who contended that to permit religious instruction during the hours when the buildings were required for school purposes would be a violation of the accepted constitutional inhibitions intended to safeguard religious liberty and the separation of church and state. As is well known, it was Taft who, in the face of strong opposition, was responsible for the teaching of religion in the public schools being permitted at all."

On another front, however, the champions of church-state separation were successful in their opposition to a proposed appropriation of \$24,170 to establish a Philippine embassy at the Vatican. Although the measure had President Magsaysay's support, Congress killed it.

CHURCH AND STATE

Government Religious Sloganeering Opposed

"... There is a question in the minds of many as to whether the continued and wider use of the slogan ['In God We Trust'] means that the United States Government is to turn its attention increasingly to religion and the propagation of religion, and if so what particular kind of religion that is to be.

"The extended use of this slogan does not stand as a lone instance. There have been repeated efforts to have inserted into the Constitution of the United States a statement that the Government of the United States operates under the authority and law of Jesus Christ. A committee of the last Congress rejected an amendment embodying this proposal.

"The committee acted wisely. The United States Government was found-

ed as a secular government. The Colonial Governments that preceded the Federal Government were for the most part not secular. In some of them there was a definite union of church and state. In only one, Rhode Island, was there complete religious freedom for everyone, regardless of his belief or lack of it. . . .

"Concerning religion the Constitution specified that there should be under the operation of the national government 'no religious test' for public office. This provision is significant. It illuminates the intention of the early builders of the nation. A man can be of any religion, or no religion, and hold the most honorable place to which his fellow citizens might choose to elect him."—From an editorial by Frank H. Yost in "Liberty," Third Quarter, 1955.

Hearings Put Off

(Continued from page 1)

though most other news services and publications mentioned it. Religious News Service was founded by the National Conference of Christians and Jews, which has followed a policy of glossing over fundamental differences between Catholic and non-Catholic leaders in the realm of church-state relations.)

Denounced

Partly because of this cautious statement of belief in church-state separation, Dr. Blake was bitterly denounced the next day by columnist David Lawrence as a "radical." Lawrence inferentially endorsed the use of public money for parochial schools and frankly ignored the Supreme Court's adverse judgment against such appropriations.

Joseph F. Lamb, of the Knights of Columbus, did not touch upon matters of church-state separation directly but did claim that the Knights were largely responsible for inserting the phrase, "under God," in the revised form of the pledge of allegiance.

When the Senate subcommittee first announced its hearings and sent out its questionnaire, apprehensions were expressed by many Protestant jour-

nals that the hearings might become a "field day" for Roman Catholic attacks upon the First Amendment. These apprehensions were caused in part by the wording of some questions which seemed to invite an assault upon Supreme Court decisions in favor of church-state separation. One of the questions asked:

"Do you regard the phrase 'make no law respecting an establishment of religion' as a prohibition against any direct or indirect government aid to churches or religious sects? Or do you regard the language as banning preferential treatment of any particular church or religious sect while permitting government aid to religion generally or to the various churches and sects on a non-discriminatory basis?"

Some other observers and religious groups, however, saw in the subcommittee's whole approach an honest effort to encourage a full presentation of all leading points of view at the scheduled hearings. The prospect of such a discussion may well have struck fear in the hearts of timorous politicians as well as others who deplore any airing of religious differences, regardless of circumstances. The *Washington Post and Times-Herald*, for example, hailed the "postponement" editorially as a "thoroughly welcome one" calculated to "spare the country, at least for the time being, a philosophical discussion which was bound to be acrimonious but which could hardly prove constructive." On the other hand, the president of the American Jewish Congress protested that the postponement "serves to confirm our information that your committee has been subjected to pressure by sectarian groups to cancel or indefinitely postpone the hearings," while a spokesman for the American Association for the Advancement of Atheism charged that outright cancellation was desired by violators of the law requiring "separation of church and state and equal freedom of expression for believers and non-believers."

Cushing Demands Place At U. S. School Meet

Roman Catholic Archbishop Richard J. Cushing of Boston has drummed up a campaign in his state against the public education department's choice of delegates to the November White House Conference on Education. His complaint is that not one of the forty Massachusetts delegates will represent the Roman Catholic school system. The proper reply (which the public authorities will of course refrain from making) is that there is no reason why parochial school officials should be included, since any recommendations which the Conference may make can apply only to public schools—unless the Constitution is to be violated by incorporating church schools into the public school system.

The week of November 6-12 is American Education Week—an excellent time for all groups which are devoted to the American creed to signify their belief in the public school system as an instrument of the entire people without regard to religious differences.

Readers who would like to make sure that the hearings will actually be held within a reasonable time so that the issues may be discussed in the forum of democracy, should wire, write or telephone members of the Senate Subcommittee on Constitutional Rights immediately. The subcommittee members are: Senators Thomas C. Hennings, Jr., Mo., chairman; William Langer, N. D.; and Joseph C. O'Mahoney, Wyo.

Top Pennsylvania Court Gets Orphan Funds Case

The Supreme Court of Pennsylvania is expected to rule during its forthcoming spring term on an appeal which challenges the use of county funds for maintenance of juvenile wards in sectarian institutions. The appeal has been entered by Fred A. Schade against a June 23 opinion of the Allegheny County Common Pleas Court reversing an earlier ruling which had held such use of public funds unconstitutional ("Church and State," September). Immediately involved in the suit are a Baptist, a Methodist and eight Roman Catholic institutions which have received county funds, but the case is being watched with interest by officials throughout Pennsylvania and in other states.

On June 30, 1954, Judge A. Marshall Thompson, chancellor of the Allegheny County Common Pleas Court, had ruled the county payments unconstitutional, but in the later decision he was outvoted by two of his colleagues on the same court and wrote the dissenting opinion. Originally, the Rev. Dr. Frederick Curtis Fowler, a POAU national adviser (then a resident of Pittsburgh, now of Duluth, Minn.) worked with the plaintiffs on details of the case.

Magazines Air POAU Main Events, Leaders' Views

The lasting significance of national POAU conferences and the importance to other organizations of POAU's work in the field of religious liberty were given recognition in *The Christian Century* and *The Churchman* last month. The address by Leo Pfeffer on "The Church as an Instrument of National Policy," delivered at POAU's Seventh Annual Banquet in Washington, D. C., last January, has been re-published, in part, in *The Christian Century* of September 21. The September *Churchman* carried an article by Ellis H. Dana, executive vice-president of the Wisconsin Council of Churches and POAU board member, on "The National Council [of Churches] and Rome," in which the author points out the need "for a coordinated approach in the relations between NCC and POAU." A free copy of the September *Churchman* is available to anyone who will write to the magazine at 118 East 28th Street, New York 16, N. Y.

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Disputes Non-Religious Basis of Government

A clause in an old treaty between the United States and Tripoli was recently attacked as "fictional" by Congressman Edgar W. Hiestand of California after two atheists quoted it as a statement by "George Washington." Each side, zealous to put "history" in its camp, distorted the record.

The disputed clause is Article XI of the English text of the treaty (adopted in 1797), which observes that "the Government of the United States of America is not in any sense founded on the Christian Religion. . . ."

When Congressman Hiestand learned that John L. Manners and Walter B. Stevens of New York City were attempting to mail envelopes quoting the clause as an utterance of the first President, he denounced them in a statement inserted in the appendix of the *Congressional Record* of August 3. (The envelopes in question, however, were not mailed because the Post Office Department refused to handle them.)

The essential facts in the dispute are these:

1. George Washington was not the author of the words attributed to him by Manners and Stevens.

2. The words of Article XI were, however, accepted by President John Adams and the members of the United States Senate when they adopted the treaty. They believed the clause to be a sound statement of American policy.

3. Congressman Hiestand, wishing that the President and the Senate had thought otherwise, sought to expunge it from the historical record by calling it "fictional." He insisted that what the President and the Senate really adopted, unknown to themselves, was a treaty text in Arabic—a language which they could not understand—containing in place of Article XI "a letter from Hassan Pasha of Algiers to Yussuf Pasha of Tripoli . . . [with] three-fourths . . . [consisting of] an introduction drawn up by a stupid secretary who just knew a certain number of bombastic words and expressions . . ." according to the description of a translator. Congressman Hiestand declared this letter—which he admitted to be "crude, flamboyant, and unimportant"—must be considered as the only authentic text, while the treaty as signed by John Adams must be considered "erroneous"!

The entire question was treated at length in an article by Stanley Lichtenstein in *The Christian Register* (Unitarian) of May, 1951, written after the Jesuit weekly, *America*, had made the same assertions which are now repeated by Congressman Hiestand.

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Wayward Bus Loose Again In New Mexico, Elsewhere

Protestant groups in New Mexico are girding up their loins for a court test of the school bus law adopted last spring permitting county commissions to make individual contracts with bus drivers covering the costs of private and parochial school transportation out of general funds. POAU Executive Director Glenn L. Archer addressed a September 11 rally on the subject in the First Baptist Church of Albuquerque, at the invitation of the New Mexico Pastors' Conference, and a steering committee was named in preparation for the formation of a POAU chapter. The school transportation question has also become acute recently in Glenview, Illinois, and New Orleans, Louisiana.

Presiding over the Albuquerque rally was the Rev. F. M. Sewell, moderator of the Central Association of Baptist Churches, who told the audience of several hundred persons that he had been accused of being a Communist and a "friend of Peron" because of his stand on the bus question. Archer contrasted the attitude of Roman Catholic authorities with that of other church leaders, saying: "The Lutherans and Adventists who conduct schools pay for the transportation of their pupils willingly. They regard it as an investment in their church." In defense of the new law, Roman Catholic spokesmen in New Mexico are repeating the familiar argument that the existence of parochial schools saves the taxpayers' money and it is only fair that Catholic parents should receive some slight compensation for the burden which they "voluntarily" carry. The same spokesmen contend that the new law involves less mingling of church and state than is already involved at a state university which is said to be operating a Protestant-oriented school of theology. Both Catholic and non-Catholic leaders have said that a court test of the bus law is needed to settle the controversy.

Glenview

The situation at Glenview, Illinois, can be gleaned from a *Chicago Daily Tribune* editorial of September 19,

entitled, "Tax Lesson for Some Glenview Mothers":

"Some mothers in Glenview paraded their young down a main street of the village the other day, carrying silly signs like 'My little legs are tired,' in protest against partial abandonment of free school bus service. . . ."

"Glenview, as state law requires, still provides free bus transportation for public and parochial school pupils in the district who live more than a mile and a half from their schools. The state reimburses three-quarters of the cost, up to a state payment of \$20 a pupil annually.

"Until a year ago, the district provided free bus transportation for all its pupils. . . . Then the school board had to face a hard choice between paying teachers and paying bus contractors. It didn't have enough money for both. It chose to pay the teachers, but continued to offer transportation to pupils who were not eligible for state bus subsidies, at \$10 a year, which didn't cover costs.

"It was discovered that this system of charges imperilled the state subsidy. This year the school board restricted free transportation to pupils eligible for the subsidy, but arranged for the same bus contractors to provide service to children living closer to the schools for \$30 a year. Those little legs don't have to get tired if Papa has \$30 to spend on them."

Orleans Parish Board

In New Orleans, Louisiana, where more children attend non-public than public schools, the Orleans Parish School Board has reversed an earlier decision to discontinue free bus rides for about 380 parochial school pupils. The action had been denounced by State Senator Harry H. Howard, who claimed that the curtailment would "discriminate" against Catholic pupils. The board argued that the reduced service would save \$62,000 in new busses and drivers' salaries during 1956, but to quiet the furor it later voted to rearrange bus schedules to accommodate parochial pupils even though that will mean that many pupils will have to leave home earlier and return later in the afternoon.

The Catholic Central Verein of America reiterated the hierarchy's basic position at a centennial convention at Rochester, N. Y., in August, resolving that school bus transportation should be provided to all children as a "matter of safety and welfare." The convention also adopted a resolution opposing federal aid to education.

Attack Non-Existent 'Book' by NEA Unit

A big, bad book which "bears the innocent title of *Universal Common Education*, but advocates the compulsory education of all children in state schools," was attacked by Luke E. Hart, supreme knight of the Knights of Columbus, at the "States Dinner" held on August 16 in Philadelphia during the organization's seventy-third international convention. The Most Rev. Lawrence J. Shehan, Roman Catholic bishop of Bridgeport, Connecticut, joined Hart in condemning the "book," which they identified as one issued by the Educational Policies Commission of the National Education Association and the American Association of School Administrators. *But there is no such book*, and the speakers had apparently gotten their cues mixed up, intending to attack *Public Education and the Future of America*, which was published early this year. The error also occurred in remarks of other speakers at the convention and was embodied in a formal resolution which referred to the non-existent book as "un-American"! The incident illustrates the danger of relying upon parrots to destroy the reputation of an organization or a book—the parrots may make mistakes, such as getting the title of the condemned work wrong, thereby revealing that they had never even "tasted" the work which they were denouncing.

The cue for the machine-made assault on *Public Education and the Future of America*, as the booklet is correctly known, was given by James Francis Cardinal McIntyre, Roman Catholic archbishop of Los Angeles, at a Holy Name Union breakfast on January 23 (see "Clerics Give New NEA Book Old 'Treatment'," *Church and State*, March). Although Cardinal McIntyre got the title right, his remarks indicated either that he had not read the booklet or that he was deliberately twisting its contents. He had also rendered a similar performance more than a year earlier in connection with another NEA study, *Forces Affecting American Education* (see *Church and State*, December, 1953). The line laid down by Cardinal McIntyre in his January 23 diatribe has since been followed on repeated occasions throughout the year by other clerics (for a recent example, see *Church and State*, September, for account of article by Thurston N. Davis, S. J., in *America*,

a Jesuit weekly which is now edited by Father Davis). And as late as August 27 Cardinal McIntyre swelled the chorus of denunciation which he himself had started by making a second onslaught on the NEA and the booklet in an address in St. Paul, Minnesota, at the twentieth annual convention of the International Federation of Catholic Alumnae.

Cardinal McIntyre's second assault drew a reply from Secretary Howard E. Wilson of the NEA's Educational Policies Commission. Wilson said:

Contrary to the accusation made by Cardinal McIntyre . . . the National Education Association does not believe in requiring all children to go to public schools. By formal resolution, passed in June, 1952,

"The Association respects and upholds the rights of groups, including religious denominations, to maintain their own schools, financed by their supporters so long as such schools meet the educational, health, and safety standards defined by the states in which they are located."

The Cardinal's statement that the National Education Association, the National Citizens Council for the Public Schools [not an NEA body], and the Educational Policies Commission want to "destroy the nation's private and parochial schools" is not true. By their record these bodies demonstrate their belief in free enterprise in education. For my part I believe that public and private schools in America are both better because both exist.

The Cardinal objects to a recent publication of the Educational Policies Commission called *Public Education and the Future of America*. Nowhere in the volume does it attack private and parochial schools. The Cardinal says that the book urges re-

peal of the Oregon Decision [by the U. S. Supreme Court, invalidating a law requiring all pupils to attend public school], but it actually supports the decision. Referring to it as a 'momentous decision,' the Commission points out that most people 'took it to mean that the vast majority of American children would continue to attend the public schools—as was then the case—but that the way would always be open for those who so desired to attend private institutions.' With that position the Commission concurs.

The book is about public education, and tells of the significant services rendered to America and to democracy by public schools. To say that because the authors praise public education they are therefore against private education is like saying that because a man likes a good steak he is against fried chicken. Following the Cardinal's line of reasoning are we to assume that every time he praises parochial education he is condemning public education? That hardly seems to be the position of the large number of Catholics who have contributed so much to the development of the public schools of America.

Dr. Edgar Fuller, executive secretary of the NEA's Council of Chief State School Officers, also commented, denying that he knew "a single person in public education who wants to abolish private schools."

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Highlights from the memorable addresses delivered at POAU's Seventh National Conference on Church and State last January in Washington, D. C., are available on long-playing (33 $\frac{1}{3}$ r. p. m.) records which may be obtained from national headquarters. For only \$4.00, you can have a set and hear again—or for the first time—the voices of Harold J. Ockenga, Frank H. Yost, Leo Pfeffer, Stanley I. Stuber and others speaking on the theme, "Proclaim Liberty Throughout the Land." Playing time is approximately one hour and the recordings can be put to excellent use at chapter, club or church group meetings. Fill out and return the blank below:

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Church Works Out Clear Basis for Building Use

The Grace Conservative Baptist Church of Nanuet, New York, has been prevailed upon by the Union Free (Public) School, Districts No. 8 and 8-N, to loan some of its building space for public classroom use during an emergency classroom shortage—but in doing so the church authorities expressed a concern that no connection between themselves and the public school system should be thereby established. They adopted a resolution which emphasized their belief that "no public funds should be given to any religious institution, church or school . . ." and attached "conditions" to their consent for public school use of their property, including:

" . . . That we regard this as an emergency measure on a limited period basis only; and . . .

" . . . That we will not accept any profit, financial or otherwise, but merely desire to recover the expenses involved from this use by the school."

Church Maneuvers for New Power in Wake of Peron

New faces are appearing at Government House in Buenos Aires as a result of Argentine Dictator Juan D. Peron's downfall. There are even some new slogans. But how much more freedom, if any, the Argentine people will have remains to be seen.

"We are nationalists, Catholics and democrats," declared Major General Eduardo Lonardi, chief of the new interim government, in answer to a question on the influence of Communism in the country. In Peron's hey-day, the line was almost the same—"We are Peronists and Catholics." The dictator attained and consolidated his power with the active assistance of the topmost leaders of the Church. "... some 500 priests" stumped for Peron, according to *Time* magazine of March 24, 1947, while an Argentinian cardinal "issued a Peron-slanted pastoral letter." Pope Pius XII awarded the Great Cross of the Order of Pius IX to the dynamic ruler. If, on occasion, a low-ranking priest balked at the "un-Christian" methods of the strong-arm dictator, he was promptly suppressed by Santiago Luis Cardinal Copello, the country's primate (*Church and State Newsletter*, March, 1949 and April, 1950). As in its relations with Hitler and Mussolini, the Roman Catholic Church quarrelled with Peron only when he showed signs of cutting across the Church's "prerogatives" rather than continue to exalt it as his partner in power.

With Peron gone, clerical hopes for a complete restoration of the Church's power are running high. The national referendum on the question of church-state separation, originally scheduled to take place in November, has been postponed and

may never be held. Maj. Gen. Lonardi says that he will try to work out a concordat with the Vatican. The Argentinian ambassador to the Pope has returned to his post. Auxiliary Bishop Manuel Tato and Msgr. Ramon Pablo Novoa of Buenos Aires, expelled from the country by Peron on June 1, have been welcomed back.

Church-state union remains the ideal for the Roman Catholic clergy and the "faithful." Leaders of the Christian Labor Movement (one of several Catholic parties which were formed as Peron's political throne tottered) declared in a recent manifesto that they were "categorically against separation of church and state." "We believe," they said, "that in a country with an overwhelming Catholic majority it is a democratic right not to accept disestablishment. Otherwise, we shall fall into a trap set for us by the wiles of an interested and sectarian minority which will change our attitude toward life."

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New Bradfordsville Hearing Requested

Still seeking relief from what they consider to be discriminatory actions of the Marion County School Board, 460 Protestant parents of Bradfordsville, Kentucky, are asking a rehearing on their petition for the reopening of their public high school. Special Judge Marion Rider, substituting for the ailing Franklin Circuit Court Judge William B. Ardery, ruled in late September that the county school board had acted legally in closing the high school a year earlier. Judge Rider's decision came a few weeks after the parents had voted to end the "strike" under which their children had stayed out of school all year as a gesture of pro-

test against the county board's policies.

Currently, about 50 pupils are going by bus to Hustonville, in Lincoln County, some 22 or 35 miles from Bradfordsville (depending on whether you accept the parents' estimate or that of the newspapers), in a bus provided by the parents themselves and at a tuition rate of \$10 per pupil per month. There has been talk that the Marion County board would pay the tuition, but that has not been determined at this writing.

Judge Rider said: "The action of the board [in closing the Bradfordsville high school] is in fact an adoption by it of one of the alternative plans suggested by the state department of education in its study of the school system of Marion County dated June 17, 1952." (Three alternatives had been suggested: 1. Close the school and transport students for tuition-free instruction at the independent Lebanon High School 10 miles away; 2. Enlarge the high school to serve the eastern half of the county; 3. Abandon it and build a new school plant in another place to serve the eastern half of the county. The board is said to have adopted the first alternative.)

A minimum attendance of 100 is required for state accreditation of a school, and the Bradfordsville high school enrollment had fallen to about 75. Residents contended, however, that the decline was a direct result of favoritism shown by the board to Roman Catholic-dominated schools in other parts of the county which had allegedly received facilities and course materials denied to the Bradfordsville school.

Another aspect of the case is awaiting a decision from the Kentucky Court of Appeals—that is, the question of whether or not it is legal for garbed Roman Catholic sisters to serve as "public school" teachers in Marion County and five other counties in the state. Judge Ardery has upheld this practice, and it is his ruling which is being appealed.

So bitter has the dispute been in Bradfordsville that violence has occurred. Three dynamite blasts have been reported during the last few months around the home near Lebanon, of A. C. Glasscock, a county school board member for eighteen years. Glasscock, although one of the two Protestant members of the board, supported the closing of the Bradfordsville high school. In another recent incident, a Marion County school bus was put out of commission by dropping sugar in its gas tank.

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